



THE UNIVERSITY OF  
SYDNEY

National Centre for Cultural Competence

# A rightful place in our own Country

## *Reflecting on the Voice*

A guide to thinking about the Referendum  
on the Indigenous Voice to Parliament

Associate Professor Gabrielle Russell  
Dr Matthew Tyne  
National Centre for Cultural Competence



Cover image:

Yanhambabirra Burambabirra

Yalbailinya (Come, Share and Learn)

2020 by Luke Penrith

# Reflection guide

## Acknowledgement of Country

We acknowledge the tradition of custodianship and law of the Country on which the University of Sydney campuses stand. We pay our respects to those who have cared and continue to care for Country.

We recognise that the University has campuses as well as teaching and research facilities situated on the ancestral Lands of the Wangal, Deerubbin, Tharawal, Ngunnawal, Wiradjuri, Gamilaroi, Bundjalung, Wiljali and Gureng Gureng peoples.

As we share our own knowledge, teaching, learning and research practices within this University may we also pay respect to the knowledge embedded forever within the Aboriginal Custodianship of Country.

## Contents

Introduction	02
Using the guide	04
The Uluru Statement from the Heart	05
Reflection on Sovereignty from the Uluru Statement from the Heart	06
What do others say – on Sovereignty?	07
Creating change	08
Who do I listen to?	09
Resources	10

Images left to right: Judy Watson, *Djuguma*, 2020 (in development). Students from Gadigal Centre on Camperdown campus. Aerial view of the Quadrangle.  
Photographer: Louise Cooper.



# Introduction

*‘I begin by acknowledging the Traditional Owners of the land on which we meet. I pay my respects to their elders, past, present and emerging. And on behalf of the Australian Labor Party, I commit to the Uluru Statement from the Heart in full.’*

These were the first words spoken by the then Prime Minister-elect Anthony Albanese when he took the stage to make his acceptance speech on election day, May 21st 2022. Some 10 months later, on March 23rd, 2023, the Prime Minister announced the wording for the Referendum question. In the second half of this year, Australians will vote on the question:

*“A Proposed Law: to alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice. Do you approve this proposed alteration?”*

The proposed law that Australians are being asked to approve at the referendum would insert a new section into the Constitution:

## **Chapter IX Recognition of Aboriginal and Torres Strait Islander Peoples 129 Aboriginal and Torres Strait Islander Voice**

In recognition of Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia:

1. There shall be a body, to be called the Aboriginal and Torres Strait Islander Voice;
2. The Aboriginal and Torres Strait Islander Voice may make representations to the Parliament and the Executive Government of the Commonwealth on matters relating to Aboriginal and Torres Strait Islander peoples;
3. The Parliament shall, subject to this Constitution, have power to make laws with respect to matters relating to the Aboriginal and Torres Strait Islander Voice, including its composition, functions, powers and procedures.”

Source: [www.niaa.gov.au/indigenous-affairs/referendum-aboriginal-and-torres-strait-islander-voice](http://www.niaa.gov.au/indigenous-affairs/referendum-aboriginal-and-torres-strait-islander-voice)

The proposed recognition of Aboriginal and Torres Strait Islander people in the Constitution is an opportunity to create a better future based on recognition and respect for the First Nation’ people of this country. Aboriginal and Torres Strait Islander people are strong and resilient and like everyone else thrive when they can make decisions about what’s best for their communities and for country.

The lack of recognition in the Constitution has meant that Aboriginal and Torres Strait Islander people have been excluded and denied the ability to be in control of their lives and to be heard by successive Governments.

The discussion about recognition of Aboriginal and Torres Strait Islander peoples in the Australian Constitution has been ongoing for a long time. There have been numerous processes, reports, debates about what it should look like, what its effect will be, and what it will change. Now, we have something concrete to think about, discuss, and decide on and most importantly to come together to create a strong future for all.

The National Centre for Cultural Competence has significant expertise in developing people’s capacity to have difficult conversations in ways that are respectful, ethical, culturally safe, and responsive. There is no doubt that the next few months will involve some difficult discussions. We can draw on cultural competence capabilities by learning how to reflect on difficult issues and explore our response, including our biases, our attitudes, and beliefs, how this influences our decision.

In line with our approach to cultural competence, this reflection guide has been developed for two reasons. The first reason is to help you reflect on what the upcoming referendum means to you, to help you come to a position. The second reason is to help you discuss it with others, especially if they have positions different to your own.

In the same vein that the *Uluru Statement of the Heart* is an invitation to the Australian people, this reflection guide is an invitation to each of us to reflect on the prickly parts of this conversation for ourselves. To examine our responses to the Voice, to be open to understanding what we might be resisting, and how we might increase our understanding of what the referendum means. We hope that this reflection guide will assist in the reflective process to help you come to an informed and confident position, and to be able to articulate that position with care, responsibility, and compassion.

"If not now, when? We have been talking about recognising Aboriginal and Torres Strait Islander Australians in our founding document for decades – now we have the chance to do it."

**The Hon. Linda Burney (Wiradjuri woman)**  
Minister for Indigenous Australians  
(Canberra, March 23rd 2023)

"As true citizens of Australia, properly acknowledged in our Constitution, we can look forward not only to improving our own lot, but helping Australia contribute to the well-being of all the world's people."

**Senator Patrick Dodson (Yawuru Elder)**  
Special Envoy for Reconciliation and the  
Implementation of the Uluru Statement from the Heart

# Using the guide

## Who is this reflection guide for?

We have written this reflection guide primarily for non-Indigenous Australians – who are the majority of people voting in this referendum. We hope that it will assist those who do not have a fixed opinion, who are open to considering the issues, and who want to feel confident in their position. If you have already decided, it may help you articulate your position to others. The reflection guide is structured around the Uluru Statement from the Heart and the wording of the Referendum question. We have included questions to help your reflections and links to resources are throughout the document. The authors, and the NCCC, are supporting a Yes vote and while we hope this guide helps everyone to reflect on their own position, our position and biases have obviously influenced how we have written this guide.

We recommend that you take time to set yourself up for reflection, perhaps in a quiet space, make sure you are comfortable. Perhaps journal your thoughts. Note what makes you feel uncomfortable and remain curious as to where those thoughts and feelings come from.

As there are increasing amounts of valuable material being published every day, we will regularly update this guide, and you might also like to check our webpage [www.sydney.edu.au/nccc](http://www.sydney.edu.au/nccc) and follow us on [twitter.com/nccc\\_sydney](https://twitter.com/nccc_sydney)



Dale Harding, *Spine 2*, 2018  
Photographer: Louise Cooper.

## Using the guide in a group

There may be value in bringing people together to talk about the Voice, and many have said that discussions around the kitchen table will be crucial rather than on the information being shared via mainstream media. There are some excellent resources available (see for example [yes23.org](http://yes23.org)). If you do bring people together to discuss it is recommended that you agree on how you want to come together. Agree on some principles that can guide your discussion. You could start by asking the group:

- What would a successful conversation look and feel like to each of us?
- How do we want to talk to each other?
- What do I need to feel supported in this conversation?

## Background

In 2017, representatives from Aboriginal and Torres Strait Islander communities across Australia gathered at Uluru and produced a statement. The statement was an invitation to the Australian people to join with them to create a voice, to be heard to make a better future, together.

The Voice is not a new call to be heard. This film by Rachael Perkins and Blackfella films gives an overview of the consultation process leading to the Uluru Statement of the Heart as well as previous petitions to be heard and included.

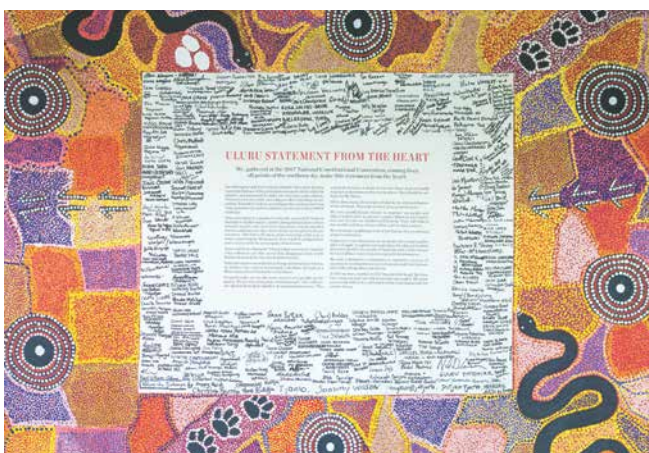
We recommend watching this film to give some context and history to the current call for a Voice. Blackfella Films Uluru Statement from the Heart Background Video

[vimeo.com/346347606](https://vimeo.com/346347606)

# The Uluru Statement from the Heart

*We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart: Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago. This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown. How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years? With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood. Proportionally, we are the most incarcerated people on the planet.*

*We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future. These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness. We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country. We call for the establishment of a First Nations Voice enshrined in the Constitution. Makarrata is the culmination of our agenda: the coming together after a struggle. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination. We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history. In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.*



The Uluru Statement from the Heart

## Reflection points

Read the Uluru Statement from the Heart. We suggest reading it out loud.

- How does it make you feel?
- Does it bring up any reactions? Reflect on where this reaction comes from. Is it in response to a particular word, or part of the statement?
- What questions does the Statement raise for you? What do you want to know more about?
- Do you hold attitudes and beliefs that are either in support of, or conflict with, the Statement? Where do those attitudes and beliefs come from?

For more on the Uluru Statement from the Heart go to [Uluru Statement](#)

# Reflection on Sovereignty from the Uluru Statement from the Heart

*Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago. This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown. How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years? With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood.*

## Reflection points

- What does sovereignty mean to you? How do you experience and/or think about sovereignty?
- Does the expression of sovereignty as expressed in the Uluru Statement from the Heart conflict with your own understanding of sovereignty, if so, in what ways?
- In what ways do you think substantive constitutional change and structural reform will allow ancient, never ceded, sovereignty to shine through as "a fuller expression of Australia's nationhood"?

Putting an Aboriginal and Torres Strait Islander Voice in the Australian Constitution will have no effect on Indigenous sovereignty. It will simply provide Aboriginal and Torres Strait Islander peoples with an opportunity to inform the development of laws and policies that affect Indigenous Australians.



Dale Harding,  
*Spine 3 (Radiance)*, 2020



# What do others say – on Sovereignty?

From [Responding to Common Concerns about the Voice, First Nations Portfolio, The Australian National University](#)

An Aboriginal and Torres Strait Islander Voice cannot and will not cede Indigenous peoples' sovereignty. Leading Indigenous and non-Indigenous constitutional and international lawyers, such as Megan Davis, Asmi Wood, Hannah McGlade, George Williams and Anne Twomey have examined this issue and agree. There are several reasons why this is the case.

- **Indigenous sovereignty cannot be ceded except by agreement and the proposal says nothing about Indigenous sovereignty.**

The proposal does not mention Indigenous sovereignty. Rather, it empowers Indigenous peoples with the opportunity to make representations to Parliament and the government. In any event, the referendum requires the support of non-Indigenous Australians. It makes little sense that non-Indigenous Australians could cede Aboriginal and Torres Strait Islander peoples' sovereignty. Only Aboriginal and Torres Strait Islander peoples can cede their sovereignty.

- **Indigenous sovereignty cannot be extinguished by the Australian Constitution.**

Sovereignty is inherent to Indigenous peoples and communities. It is connected to and drawn from Country. It does not come from the Australian Constitution or any other settler document. It cannot be extinguished by any settler document. As the Uluru Statement from the Heart records, Indigenous sovereignty is 'a spiritual notion'. It can be expressed but it cannot be suppressed. It is demonstrated by Indigenous peoples controlling their lives and destinies.

- **The Participation of Aboriginal and Torres Strait Islander peoples in Australian governance does not cede sovereignty.**

No one suggests that Indigenous parliamentarians have ceded their sovereignty when they sit in Parliament and debate and vote on proposed laws. The Voice is simply an opportunity for Aboriginal and Torres Strait Islander peoples to participate in the development of law and policy that affects them.

## Find out more

- [Advice from the Solicitor General regarding the Voice](#)
- Associate Professor ElisA Arcioni Constitutional and Public Law expert talking about the Voice.
- Media on the Solicitor General's advice
  - [Sky news](#)
  - [SBS](#)
- [Former Human Rights Commissioners' statement on the Voice](#)



Aboriginal and Torres Strait Islander flags.  
Photographer: Louise Cooper.

# Creating change

*Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future. These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness. We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.*

## Reflection points

- Have you explored and understood the structural nature of issues such as over representation in prisons?
- Do you have questions, or things you would like to know more about? Do you know where to go to get answers to your questions?
- In what ways do you think constitutional reforms will empower people?



Robert Andrews, *Garabara*, 2018.  
Photographer: Louise Cooper.

## What do others say on crisis issues?

- Over representation of Aboriginal People in Prison
- Youth Detention
- Health equality  
The Close the Gap campaign arose in response to Professor Tom Calma's Social Justice Report (2005) which challenged governments to bring about health equality within a generation.

## Will a Voice to Parliament create positive change?

Prof Marcia Langton at the launch of the Indigenous Voice to Parliament Referendum said: "Each one of us here has been involved in a major initiative. The Royal Commission into Aboriginal Deaths in Custody. The inquiry into the forced removal of Aboriginal children from their families. The Don Dale royal commission.

"I could go on and on. And in each case we have doggedly recommended changes to stop the deaths, the incarceration, the early deaths, and the miserable lives and it is so infrequently that our recommendations are adopted," she told journalists.

"And each year, people like you come along to listen to that misery-fest. And each year, people go away wringing their hands.

"We're here to draw a line in the sand and say this has to change."

[www.theguardian.com/australia-news/2023/mar/23/anthony-albanese-launches-indigenous-voice-to-parliament-referendum-question](https://www.theguardian.com/australia-news/2023/mar/23/anthony-albanese-launches-indigenous-voice-to-parliament-referendum-question)

# Who do I listen to?

Are you concerned about voting Yes when some Aboriginal and Torres Strait Islander people don't agree with, or want, the Voice? There are many different opinions on the Voice and people who don't agree do so for a variety of reasons. It would not be possible for there to be a single Aboriginal and Torres Strait Islander people's perspective. However, according to the Yes23 campaign research shows that 80% of Aboriginal and Torres Strait Islander People do support the Voice to Parliament.

It's important to understand context, and to explore the issues, especially to understand the role of the media in whose voices we hear and how.

## Dissenting voices

- **Megan Davis** speaks about the consultation process - [Megan Davis explains the Uluru Statement from the Heart | Living Black | NITV](#)
- **Stan Grant** - [The Voice is an Appeal to People Not Politics](#)
- **Recognise a Better Way** is leading a [No campaign](#)
- **Central Land Council** disagrees with Senator Nampijinpa Price
- **Djambawa Marawili**, the leader of the Yolngu Yithuwa Madarrpa clan [gives his support for the voice](#)

## Reflection points

- What are the positions people give for not agreeing with the Voice? Do I understand the different issues?
- Who am I listening to? Have I considered their background, political orientation, position on previous policies, and who they are representing?
- Do I expect consensus from all Aboriginal and Torres Strait Islander people, and do I expect the same from non-Indigenous people?
- Have I understood the consultation process and who it involved to get to this point?
- What are the questions being raised? What is my response to those questions?
- Have I thought about what the impact of a successful Yes vote will be for Aboriginal and Torres Strait Islander People? Have I thought about what the impact of voting No for Aboriginal and Torres Strait Islander people?
- In what ways will this change to the constitution impact me?



Smoking ceremony welcoming new students.  
Photographer: Louise Cooper.

# Resources

## Key resources

Yes23.com.au is a good source of material for the Yes campaign. It includes resources to address questions and issues that are often raised.

[The Yes guide](#)

## Other resources

NITV has published an explainer about the history of a voice to parliament.

[www.sbs.com.au/nitv/article/constitutional-recognition-has-a-long-history-how-did-we-get-here/qntb5bt5c](http://www.sbs.com.au/nitv/article/constitutional-recognition-has-a-long-history-how-did-we-get-here/qntb5bt5c)

The Australian Parliamentary Library has produced a background briefing which includes an overview of recent proposals into the question constitutional recognition Indigenous.

[www.aph.gov.au/About\\_Parliament/Parliamentary\\_departments/Parliamentary\\_Library/pubs/BriefingBook47p/IndigenousConstitutionalRecognitionRepresentation](http://www.aph.gov.au/About_Parliament/Parliamentary_departments/Parliamentary_Library/pubs/BriefingBook47p/IndigenousConstitutionalRecognitionRepresentation)

The Australian Parliamentary Library also has this quick guide to the Statement of the Heart

[www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp1617/Quick\\_Guides/UluruStatement](http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1617/Quick_Guides/UluruStatement)

From the Heart have created a short course about what is meant by Indigenous Constitutional Recognition through a Voice – and what a Voice to Parliament is, and is not. You will also learn why a Referendum is required to make it happen.

[fromtheheart.com.au/education/#/](http://fromtheheart.com.au/education/#/)

The Parliamentary Education Office provides this resource to understand referendums

[peo.gov.au/understand-our-parliament/having-your-say/elections-and-voting/referendums-and-plebiscites/](http://peo.gov.au/understand-our-parliament/having-your-say/elections-and-voting/referendums-and-plebiscites/)

## Understanding the issues

Indigenous media

- [www.sbs.com.au/nitv](http://www.sbs.com.au/nitv)
- [indigenousx.com.au/](http://indigenousx.com.au/)
- [koorimail.com/](http://koorimail.com/)
- [nit.com.au/posts/tag/voice-to-parliament](http://nit.com.au/posts/tag/voice-to-parliament)

FAQs and key issues discussed

- SBS  
[www.sbs.com.au/news/article/voice-to-parliament-an-architect-of-the-ulu-statement-answers-key-questions-about-the-referendum/s6nxufh55](http://www.sbs.com.au/news/article/voice-to-parliament-an-architect-of-the-ulu-statement-answers-key-questions-about-the-referendum/s6nxufh55)
- The Conversation  
[theconversation.com/your-questions-answered-on-the-voice-to-parliament-200818](http://theconversation.com/your-questions-answered-on-the-voice-to-parliament-200818)
- Guardian Australia  
[www.theguardian.com/australia-news/2023/apr/19/what-is-the-indigenous-voice-to-parliament-referendum-question-wording-vote-australia-constitution-change-details-how-would-it-work-what-does-it-mean-explainer](http://www.theguardian.com/australia-news/2023/apr/19/what-is-the-indigenous-voice-to-parliament-referendum-question-wording-vote-australia-constitution-change-details-how-would-it-work-what-does-it-mean-explainer)
- Journalist Sarah Collard has produced an explainer  
[www.theguardian.com/australia-news/video/2023/feb/23/indigenous-voice-to-parliament-what-is-it-and-how-would-it-work-video-explainer](http://www.theguardian.com/australia-news/video/2023/feb/23/indigenous-voice-to-parliament-what-is-it-and-how-would-it-work-video-explainer)
- ABC  
[www.abc.net.au/news/2023-03-22/federal-parliament-voice-referendum-explainer/102129556](http://www.abc.net.au/news/2023-03-22/federal-parliament-voice-referendum-explainer/102129556)
- ABC – who is running the Voice to Parliament No campaign  
[www.abc.net.au/news/2023-03-31/voice-to-parliament-no-campaign-thorpe-nampijinpa-price/102171330](http://www.abc.net.au/news/2023-03-31/voice-to-parliament-no-campaign-thorpe-nampijinpa-price/102171330)
- Sydney Peace Prize Lecture 2021-22 Sydney Peace Prize Award Ceremony and Lecture in full

- Summer May Finlay on NITV – The Voice to Parliament is a beginning not an end  
[www.sbs.com.au/nitv/article/the-voice-to-parliament-is-a-beginning-not-an-end/42pkjov9o](http://www.sbs.com.au/nitv/article/the-voice-to-parliament-is-a-beginning-not-an-end/42pkjov9o)
- Stan Grant – The Voice referendum is an appeal to the people not politics, and it needs to rise above Canberra to succeed  
[www.abc.net.au/news/2023-04-02/voice-referendum-appeal-to-people-not-politics/102169850](http://www.abc.net.au/news/2023-04-02/voice-referendum-appeal-to-people-not-politics/102169850)
- Amy Mcquire Voting on the Voice: Will it fight racist violence?  
[amymcquire.substack.com/p/voting-on-the-voice-will-it-fight](http://amymcquire.substack.com/p/voting-on-the-voice-will-it-fight)
- Teela Reid Reconcile what?  
[www.sydney.edu.au/engage/events-sponsorships/sydney-ideas/2022/teela-reid-reconciliation-and-reckoning.html](http://www.sydney.edu.au/engage/events-sponsorships/sydney-ideas/2022/teela-reid-reconciliation-and-reckoning.html)
- Anne Twomey  
[theconversation.com/we-now-know-exactly-what-question-the-voice-referendum-will-ask-australians-a-constitutional-law-expert-explains-202143](https://theconversation.com/we-now-know-exactly-what-question-the-voice-referendum-will-ask-australians-a-constitutional-law-expert-explains-202143)
- Rev Canon Glenn Loughrey is a Wiradjuri man, a member of the National Aboriginal and Torres Strait Islander Anglican Council and artist in residence at St Paul’s Cathedral in Melbourne. Here he talks about the Voice to Parliament and similar structures in Churches.  
[www.abc.net.au/radionational/programs/soul-search/a-voice-to-parliament-a-voice-to-the-church/102232184](http://www.abc.net.au/radionational/programs/soul-search/a-voice-to-parliament-a-voice-to-the-church/102232184)



National Centre for Cultural Competence  
+61 2 9351 7900  
nccc@sydney.edu.au  
[sydney.edu.au/nccc](https://sydney.edu.au/nccc)